

Message

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Sent: 6/11/2013 5:49:28 PM
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Subject: Hopi Water Infrastructure Project Monthly Call Summary, Wednesday, June 5, 2013

Bessie and Lionel,

Here is a summary of the above referenced Hopi monthly conference call.
The next monthly call is scheduled for Wednesday, July 10, 2013 at 12:30 PM AZ Time

Participants:

Shungopavi – Leslie Nasingoetewa, Christine Tawahongva and Liz Wadsworth
Sipaulovi – King Honani and Pat Thompson
Upper Moenkopi – Gov. Sam Shingoitewa, Randy Wolff and Yvonne Hoosava
Hopi Tribe – Lionel Puhuyesva, Bill Bettenberg, Micah Lomaomvaya, Mary Navanick and Yvonne Day
Consultants - Mike Janes and Lynette Polari
IHS - Brad Rae, Josh Van Vleet, Adam Hughes and Robert Lorenz
BIA HQ - Eldine Stevens
BIA Hopi Agency - Wendell Honanie
BIA, OFMC - Dennis Rodriguez
USDA...Loretta Orona
HUD...Cristal Quinn
USEPA – Susanne Perkins, Bessie Lee and John Hamilton

Hopi Arsenic Mitigation Project (HAMP):

- The well drilling contract has been awarded by the Hopi Tribe to Yellow Jacket Drilling and the notice-to-proceed should be signed by Friday, June 7, 2013. The driller plans to mobilize next week and start drilling by Friday, June 14. Drilling and testing of the first well should be completed within three months and both new wells should be completed within six months.
- HQ Indian Affairs (IA) is considering whether BIA/BIE could support moving forward with connections to the HAMP to the three BIA operated water systems serving Keams Canyon, the Jr/Sr High School and SMDS, although a final decision and commitment to the Tribe have not yet been made. EPA highly encourages BIA/BIE connection to the HAMP. IA leadership has had discussions with the Tribe and IHS HQ regarding capital and operating cost estimates. An IHS capital contribution for the IHS owned staff housing on the Keams Canyon system may be requested. The BIA Agency and OFMC have not been directly involved in these discussions, although they are aware and supportive.
- Previous HAMP planning has included the potential and capacity for the three BIA/BIE connections, since regionalization would help both the agency and the Hopi Tribe and villages in sustaining the new water system. The Tribe has informally asked IHS to amend the PER, EA and strategic plan to add BIA/BIE connections. Bill and Lionel felt IA approval is imminent and they recommended the PER and EA be edited to include this service as a new "alternative D". Since this change would include a significant commitment of time and engineering resources to consider connection alternatives, alignments of pipelines, sizing of the pipelines, working with the respective villages, IHS would like a formal commitment from IA, before this change is fully implemented. At the present time, IHS is fine-tuning pipeline alignments, staying within the previously surveyed 100' area, and revising the water tank overflow elevation to address a change requested by FMCV to serve the villages on top of the mesa through a booster pipeline, rather than by gravity flow from the mesa saddle. Also, the Tribe has requested IHS plan for the use of electrical (standby) generators for power, since broad ranging negotiations with power companies are ongoing. Lynette asked if there is an "update" on power negotiations, since Tawa 'ovi development will also need power, and Bill said that negotiations are ongoing.
- John estimated completion of the EA and approval of the FONSI would take place by November, if present alternatives are used or by April, 2014, if service to BIA/BIE is included as alternative D. Planning to incorporate this change would need to include discussions with the schools and villages regarding water main connection locations in both FMCV and Sipaulovi/Mishongovi, deciding the scope of the new alternative, such as whether a waterline extension to the Jr/Sr High School would be included, and which new facilities would be served, such as the BIA agency and court complex. Then after, this planning is completed, cultural and biological field surveys and the respective reports would be needed. It's understood that much of the pipeline alignment between FMCV and Low Mt. Junction had previously been surveyed by HCPO.
- Bill has been helping draft an MOA amongst Indian Affairs, IHS and the Tribe, which will be broad in scope, detailing the financial commitments of the parties. The Tribe provided a copy of this MOA to IA and hopefully the document has been forwarded to IHS for review. The Assistant Secretary has stated he would like to see water service to IA facilities from the HAMP.
- A separate local, project level MOA will also be needed, once IA makes a commitment to participate in the HAMP. This document would detail the routine project roles and responsibilities for the federal agencies and the Tribe, such as securing easements and rights-of way, design responsibility, funding of engineering, IA cash flow, capital cost funding, operational responsibilities and costs.
- USDA had previously provided comments on the draft PER, and IHS is revising the document to include a capital cost and operating cost comparison of alternatives comparing HAMP with arsenic treatment in each village.
- There is a question about how EPA's new enforcement division may address the January 23, 2015 arsenic compliance deadline? It now seems unlikely that any of the HAMP phases would be in operation by that date. Three villages signed compliance plans, which basically indicated the villages agreed to connect to the HAMP project, although Mishongovi did not sign the plan. Mishongovi has participated in village and tribal meetings regarding arsenic and the HAMP project, and they have been in favor of connecting. The enforcement division may take formal enforcement action against Mishongovi, even though they don't operate a water system, but the village is considered the water system "owner". It may be helpful to have an enforcement related strategy meeting or conference call to try to get the various enforcement concerns and project milestones on the table, so everyone understands progress being made, such as the above referenced well drilling along with enforcement deadlines. Liz from Shungopavi asked what effect Mishongovi's lack of approval of a compliance plan may have on the other three villages? Bessie said the lack of a plan is of major concern to the enforcement division, probably because there is no apparent commitment to bring the water system into compliance, although any enforcement action will

not adversely affect the HAMP project. We will invite Mishongovi representatives to participate in all future HAMP monthly planning conference calls.

- Robert asked if the BIA-owned Keams Canyon water system is experiencing MCL violations and other problems related to low pH? Bessie said the system has been told to increase monitoring for lead and copper (pH related), but EPA doesn't have enough information to confirm or deny an ongoing MCL violation.
- The Energy/Water task team and advisors developed Ordinance No. 60 creating the Hopi Public Utility Authority and the Hopi Public Utility Commission. The Hopi Tribal Council approved the ordinance through Resolution H-039-2013. The utility authority will manage, operate and maintain utility systems for the tribe, villages and other approved rate payers. The public utility commission will regulate the activities of the authority. The purpose of the authority will be a wholesale distributor of water to the villages. Please refer to the terms of the Ordinance.
- Josh Van Vleet, the IHS project manager for the HAMP project is transferring from Pinetop, AZ to Reno, NV on July 14. The HAMP planning team appreciates the engineering and leadership provided by Josh! Adam Hughes will be the new project manager. Adam has several years' experience with IHS in the eastern Arizona District Office. Welcome, Adam!
- Micah suggested the Energy/Water task team supports "leases" or easements for HAMP facilities to assure access for maintenance and repair. In the past, Hopi's attorneys have directed IHS not to seek leases or easements for waterlines and related infrastructure located on tribal land, since land is not allotted to individuals. They felt the Tribe did not need to issue an easement to itself for undivided trust land. An exception to this is when water or sewer infrastructure encroaches on state land, such as highways or other non-tribal land. In light of this past direction from Hopi attorneys, IHS provides the respective village a map of definite location and legal description for new facilities. IHS did not incorporate the time or cost of securing rights-of-way for the HAMP project, but they will follow the Tribes wishes, although they ask that any change in policy be provided to IHS in writing. Micah will discuss this issue with the task team and Council and then provide a written response to IHS.

Shungopavi Project:

- Schaum and Sons and have completed all of the contract scope of work. The well pump, which is presently controlled by a pressure switch, will be controlled through the tank floats and a radio signal to activate pumps as a result of a contract modification. GHD and the contractor will work with the village to schedule this last segment of work to avoid impacts to ceremonies.
- While the current work did not include a formal operation and maintenance manual, equipment manuals and training of the operator (Leslie) have been provided. GHD will forward a copy of equipment manuals to Brad in Pinetop.
- The new EPA grant to fund a 2000 LF extension of the Shungopavi water system north along SR 264, has been approved by EPA. The budget period will end on December 31, 2014. IHS will need to develop a Project Summary and MOA and NECA may be contracted to do the construction.
- Project status reports for the above should be provided to Christine.

Upper Moenkopi Water and Wastewater:

- Susanne Perkins, plans to have a conference call this Thursday afternoon with Hopi Tribal representatives and attorneys to resolve whether the Hopi Tribe has a "substantial interest" in EPA's ongoing NPDES discharge permit enforcement action at Moenkopi. EPA had sent a letter to the Tribal Chairman, but received no formal response. The treatment plant was funded in response to grant proposals developed by MDC to provide for wastewater treatment capacity to support planned economic development. Funding was provided to the Hopi Tribe by HUD and USDA and the Tribe also provided partial funding.
- The wastewater treatment plant is being operated in general compliance with their discharge permit, although EPA has received no Discharge Monitoring Reports (DMRs) since last summer, which is considered a permit violation. Susanne will call Randy Wolff later today to discuss the DMR reporting process.
- There is no formal agreement between MDC and MUA or the Village regarding operation of the plant. At the present time, neither MDC nor MUA have enough Board members to represent a quorum in Board meetings.

- The wastewater treatment plant is considered “state-of-the-art” and operation of the plant requires qualified operators and funding for both operations and maintenance. While EPA does not regulate the level of operator that is needed for this complex plant, Susanne suggests the village consider AZ DEQ regulations for guidance, even though DEQ has no jurisdiction on tribal land. David Jensen took the level 1 operator exam and is confidently awaiting the results. IHS is working with ITCA to arrange for a contractor that would be available to provide operator training.
- The EPA drinking water infrastructure grant for the new well and water treatment plant is closed-out. The corresponding HUD CDBG grant is still open, although the grant was “terminated” and will be closed shortly. HUD needs the final financial reports and related closeout reports from the Tribe before August 2, 2013 to get the grant closed.
- The RO water treatment plant is now being operated 24 hr./day, one day/week. While there are no operational problems, the plant and its operators are not yet ready to run on “autopilot”. Notah continues to provide valuable assistance through a contract with GHD. The wells are pumping 3-8 hr./day to keep the existing water storage tanks full.
- The village hired a new utility operator, Bryan McNeil, and he has a good background in welding and plumbing. Installation of the last residential water meters is planned within one month, although the village backhoe is totally inoperative and the village plans to purchase a replacement.
- Brad Rea sized a new disinfection pump and will send specifications and a quote to Randy. Brad offered to help with the installation and training of the operators.
- Randy said MDC plans to start construction of the new water storage tank shortly. He plans to meet with consulting engineers on site to review the piping and valve layout this week. The tank manufacturer will be contacted to arrange for installation soon.
- BIA's Tuba City Dump cleanup consultants, AMEC, will start a UVM well pump test and cone of depression analysis Saturday, June 8. The pump test and analysis will be completed in 10 days, so the village will need to depend on water from the RO treatment plant for most of that period.

Bessie Lee plans to visit Hopi the week of June 17, and will meet with Lionel and BIA on Tuesday and SMDS and the Jr/Sr High School on Thursday.

John Hamilton, PE
EPA Engineering Consultant